

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29097 of 2026

Arising Out of PS. Case No.-56 Year-2026 Thana- R S P.S. District- Araria

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Rahmat Hussain @ Rahmat S/o Anwar Aalat @ Anwar Alam Resident of
village - Raghunathpur, Ward No 14, P.s- Araria, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 8(c) and
21(b) of N.D.P.S. Act.

3. The case of the prosecution, in short is that from a
Maize field, altogether 15 grams of smack like contraband was
recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
been falsely implicated in this case. Nothing has been recovered
from his possession. It has further been submitted that the
witnesses of the seizure list are police personnel. Police has not
complied Section 105 of the B.N.S.S. while making the seizure.



It has further been submitted that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 15.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Araria R.S. P.S. Case No. 56 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Araria.

(Ashok Kumar Pandey, J)

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